

REMARKS

Claims 51-69 are presented for examination in the instant application. Claims 51-69 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Lidow (US 2002/0194057). Claims 53, 54 and 62 have been amended. The Applicants submit that claims 51-69 are in condition for allowance and respectfully request reconsideration and withdrawal of the rejections. No new matter has been entered in this amendment. Support for the amendments can be found at least on page 13, lines 10-19.

Claim Rejections Under 35 USC § 103

Claims 51-69 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lidow. The Applicants respectfully traverse the outstanding rejections and submit that claims 51-69 are in condition for allowance.

Claim 54, as amended, recites “A method for facilitating supply chain collaboration over a network, the supply chain including an enterprise, enterprise sites, and at least one supplier, the method comprising: aggregating demand received, at a central server of the enterprise, from a plurality of enterprise sites associated with the enterprise, the demand comprising materials requirements; wherein each of the plurality of enterprise sites comprises divisions that share common material requirements with divisions from others of the plurality of enterprise sites, the common material requirements for each of the divisions corresponding with a product or commodity, wherein the material requirements include a plurality of resource constraints including a most limiting resource constraint; generating an unconstrained forecast resulting from the aggregating, the unconstrained forecast generated at a product or commodity level; transmitting the unconstrained forecast over the network to each of the suppliers that service the enterprise sites for which the unconstrained forecast is generated; receiving supplier capability statements over the network, the supplier capability statements received by the division at each of the enterprise sites from corresponding suppliers in response to the transmitting; generating a constrained forecast, wherein the constrained forecast is at least one of equal or less than the unconstrained forecast, and wherein the constrained forecast further includes the most limiting

resource constraint; identifying a sub-group of suppliers who provide a formal commitment, wherein the sub-group of suppliers is at least one of equal to or less than the suppliers that service the enterprise sites; receiving a formal commitment from the sub-group of the suppliers; and transmitting the constrained forecasts to the sub-group of the suppliers at an enterprise site level over the network.” (Emphasis Added)

Lidow is not concerned with, nor does it teach, that the constrained forecast is equal to or less than the unconstrained forecast and that the constrained forecast includes a most-limiting resource constraint. Furthermore, Lidow does not teach or suggest identifying a sub-group of suppliers that provide a formal commitment and transmitting the constrained forecast to the sub-group of suppliers who have provided the formal commitment. For at least these reasons, Claim 54 is patentable over Lidow.

Since Claim 62 contains similar features, Claim 62 is patentable over Lidow for at least the reasons given above for Claim 54. Because Lidow does not teach or make obvious the features recited in Applicants' claims 54 and 62, the Applicants submit that claims 54 and 62 are patentable over Lidow. Claims 51, 52, and 55-61 depend from what should be an allowable base Claim 54. Claims 63-69 depend from what should be an allowable base Claim 62. For at least these reasons, the Applicants submit that claims 51, 52, 55-61, and 63-69 are in condition for allowance and respectfully request reconsideration and withdrawal of the rejections.

Furthermore, Claim 53, as amended, recites “A method of using an MRP system to facilitate supply chain collaboration comprising: running an MRP system to generate an unconstrained forecast; and running the MRP system to generate a constrained forecast, said constrained forecast taking into account at least one supplier capability statement, a formal commitment from at least one supplier and said at least one supplier capability statement based on a supplier receiving said unconstrained forecast, wherein the constrained forecast is at least one of equal or less than the unconstrained forecast, and wherein the constrained forecast further includes a most limiting resource constraint.” (Emphasis Added)

Lidow does not teach or suggest a constrained forecast taking into account a formal commitment from at least one supplier as recited in Claim 53. Furthermore, Lidow does not teach or suggest that the constrained forecast is equal to or less than the unconstrained forecast. Moreover, Lidow does not teach or suggest that the constrained forecast includes a most-limiting

resource constraint. Lidow is devoid of teaching or making obvious the use of an MRP system to generate the constrained and unconstrained forecasts in the manner recited in claim 53. Accordingly, because Lidow does not teach or make obvious each of the elements of claim 53, the Applicants submit that Claim 53 is patentable over Lidow.

CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that claims 51-69 are in condition for allowance. Accordingly, reconsideration and allowance is respectfully requested. In the event the Examiner has any questions regarding this Amendment, Applicants' attorneys respectfully request the courtesy of a telephone conference.

In the event that there are any additional fees with respect to this Amendment, Applicants' attorneys respectfully request that such fees be withdrawn from Deposit Account No. 50-0510.

Respectfully submitted,

ROBERTO AYALA ET AL.

CANTOR COLBURN LLP
Applicants' Attorneys

By: /Greg O'Bradovich/

Greg O'Bradovich
Registration No. 42,945
Confirmation No. 2135
Customer No. 48915

Date: November 9, 2007

Address: 55 Griffin Road South
Bloomfield, CT 06002
Telephone No: 860-286-2929
Fax No: 860-286-0115